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## FACSIMILE COVER SHEET

DATE: July 16, 2004

TO: NAME: Mamie P. Person

COMPANY: U.S. Patent & Trademark Office

FAX NUMBER: (703) 746-6699 PHONE NUMBER: (703) 305-3737

CITY: Alexandria, VA

FROM: NAME: David W. Clough, Ph.D.

DIRECT DIAL NUMBER: (312) 595-1408 USER ID: 5284

NUMBER OF PAGES, INCLUDING COVER: 11 CHARGE NUMBER: 05569.0006.PCUS00

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## SUPPLEMENTAL MESSAGE:

U.S. Application No. 10/018,452

RECEIVED  
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**PATENT**  
Current Atty. Docket No. 05569.0006.PCUS00  
Prior Atty. Docket No.: 28111/37903

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Julia Elizabeth Thompson )

Serial No.: 10/018,452 )

Filed: October 30, 2001 )

Title: Specific Antibodies and  
Antibody Fragments for  
TGF $\beta$ 1 )

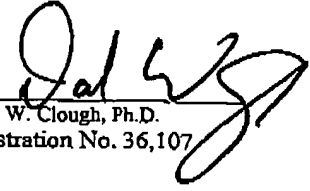
Group Art Unit: Not Yet Assigned )

Examiner: Not Yet Assigned )

CERTIFICATE VIA FACSIMILE

I hereby certify that this paper is being faxed to the  
attention of Marrie P. Person of the U.S. Patent &  
Trademark Office at (703) 746-6699.

July 16, 2004  
Date

  
David W. Clough, Ph.D.  
Registration No. 36,107

Communication Regarding Notice of Abandonment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This Communication is responsive to the Notice of Abandonment (the "Notice")  
mailed by the U.S. Patent & Trademark Office on July 1, 2004. The Notice indicates that  
the Applicant has failed to respond to the notification of Missing Requirements mailed on  
October 16, 2002 and therefore, the application failed to meet requirements of 35 U.S.C.  
371 and CFR 1.495 and is now abandoned.

Attorney for Applicant submits herewith a copy of the Second Submission of  
items concerning a filing under 35 U.S.C. 371 as transmitted to the U.S Patent &  
Trademark Office on October 25, 2002 by Express Mail (No. EU666989887 US). We  
also note that the Notification of Missing Requirements was issued on October 16, 2002,  
and the Response was submitted on October 25, 2002, well within the time period set.  
We enclose herewith the following:

- 1) Transmittal letter to the U.S. Designated Office (DO/EO/US) Concerning  
a Filing Under 35 U.S.C. 371, Second Submission transmitted by Express  
Mail No. EU666989887 US on October 25, 2002;
- 2) Stamped-returned postcard;

Application No. 10/018,452  
Filed 10/30/2001  
Page 2

Atty. Docket No.:05569.0006.PCUS00

- 3) Notification of Missing Requirements Under 35 U.S.C. 371 in the US Designated/Elected Office (DO/EO/US); and
- 4) Copy of the executed Declaration.

In view of the papers previously submitted well within the time period set therein for responding to the Notification of Missing Requirements, attorney for applicant requests that the abandoned status be removed and the application be returned to the Group for review.

Respectfully submitted,

HOWREY SIMON ARNOLD & WHITE, LLP

By: 

David W. Clough, Ph.D.  
Registration No. 36,107  
Attorney for Applicant

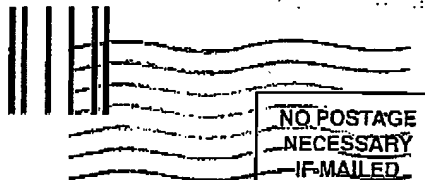
July 16, 2004  
Howrey Simon Arnold & White, LLP  
321 N. Clark Street, Suite 3400  
Chicago, IL 60610  
Telephone: (312) 595-1408  
Fax: (312) 595-2250

Applicant(s): Thompson et al Ser/Pat No.: 10/184,452 Filing/Issue Date: 10-30-01  
 Docket No.: 213839-00027 Attorney: DWC/TCS/KCB Due Date: 12-16-02  
 Title: Specific Binding and Antibody Fragments for TGF $\beta$ 1  
 Date Sent: 10-25-02 ☐ 1<sup>st</sup>-Class Mail ☒ U.S. P.O. Express Mail (No. 66698988945) ☐ Hand Carried

The U.S. Patent and Trademark Office date stamped hereon is acknowledgement that the items, checked below, were received by the U.S. Patent and Trademark Office on the date stamped:

- ☐ Utility / Design Patent Application Transmittal (\_\_\_ pp)  
☐ Provisional Application for Patent Cover Sheet (\_\_\_ pp)  
☐ RCE / CPA Transmittal (\_\_\_ pp)  
☐ Specification (including claims & abstract) (\_\_\_ pp)  
☐ Drawings \_\_\_ Formal \_\_\_ Informal (\_\_\_ pp)  
☒ Combined Oath / Declaration & Power of Attorney (2 pp)  
☐ Assignment or  
     with Recordation Form Cover Sheet - Patents (\_\_\_ pp)  
☐ Fee Transmittal, in duplicate (\_\_\_ pp, total)  
☐ Claim for priority and certified copies of  
     priority applications  
☒ Transmittal Form (2 pp)  
☐ Response to Official Action / Amendment (\_\_\_ pp)  
     (circle one -- A / B / C / Preliminary / After Final / 312)  
☐ Petition for \_\_\_-Month Extension of Time (\_\_\_ pp)  
☐ Information Disclosure Statement (\_\_\_ pp)  
     ☐ Form PTO/SB/08A (\_\_\_ pp)  
     ☐ Cited References (\_\_\_ references)  
☐ Issue Fee Transmittal (\_\_\_ pp)  
☒ Check / Authorization to charge Deposit Account (\_\_\_)  
☐ Other \_\_\_\_\_
- ☐ Request for Deferral of Examination (\_\_\_ pp)  
☒ Response to Missing Parts /  
     Incomplete Application (2 pp)  
☐ Non-Publication Request  
☐ Affidavit(s)/Declaration(s) (\_\_\_ pp)  
☐ Letter Transmitting Corrected Drawings/  
     Letter to the Official Draftsperson (\_\_\_ pp)  
☐ Request for Approval of Dwg. Amd's (\_\_\_ pp)  
☐ Notice of Appeal (\_\_\_ pp)  
☐ Appeal Brief, in triplicate (\_\_\_ pp, total)  
☐ Revocation/Power of Attorney (\_\_\_ pp)  
☐ Certificate Under 37 CFR 3.73(b) (\_\_\_ pp)  
☐ Associate Power of Attorney (\_\_\_ pp)  
☐ Status Inquiry (\_\_\_ pp)  
☐ Petition  
     ☐ Terminal Disclaimer (\_\_\_ pp)  
☐ Request for Certificate of Correction (\_\_\_ pp)  
☐ Form PTO-1050 (2 copies, \_\_\_ pp, total)  
☐ Maintenance Fee Transmittal (\_\_\_ pp)  
☐ "Fee Address" Indication Form (\_\_\_ pp)

BT05 Rec'd PCT/PTO 25 OCT 2002



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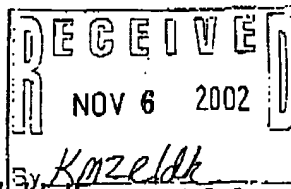
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 KATTEN MUCHIN ZAVIS  
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FORM PTO-1190 REV 4-01)		US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 216-9-00027
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/184,452
INTERNATIONAL APPLICATION NO.: PCT/GB00/01679	INTERNATIONAL FILING DATE May 2, 2000	PRIORITY DATE CLAIMED April 30, 1999	
TITLE OF INVENTION SPECIFIC ANTIBODIES AND ANTIBODY FRAGMENTS FOR TGFβ1			
APPLICANT(S) FOR DO/EO/US THOMPSON, Julia et al.			

applicant herewith submits to the United States designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
- ☐ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
- ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ has been transmitted by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ have been transmitted by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern documents(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A FIRST preliminary amendment.
- ☐ A substitute specification.
- ☐ A change of power of attorney and/or address letter.
- ☐ Other items or information:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

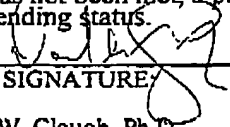
"Express Mail" Mailing Label Number  
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Date of Deposit October 25, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Theresa A. Barnstable  
(Typed or printed name of person mailing)

*Theresa A. Barnstable*  
(Signature of person mailing)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/018,452		INTERNATIONAL APPLICATION NO. PCT/GB00/01679		ATTORNEY'S DOCKET NUMBER 213859-00027	
17. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (A)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... \$ 890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$ 490.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$ 750.00 No international preliminary examination fee (37 CFR 1.482) nor international search fee paid to (37 CFR 1.445(a)(2)) paid to USPTO .. \$ 1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 140.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00
CLAIMS	NUMBER FIELD	NUMBER EXTRA	RATE		
Total claims	1-20 =	-	X\$. -	\$	
Independent claims	1-3 =	-	X\$. -	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$ 280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction of 1/2 for filing by small entity.				\$	130.00
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	130.00
				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which maybe required, or credit any overpayment to Deposit Account No. <u>50-1214</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: KATTEN MUCHIN ZAVIS ROSENMAN 525 West Monroe, Suite 1600 Chicago, IL 60661-3693 U.S.A.					
Telephone: (312) 902-5464		SIGNATURE 			
Facsimile: (312) 577-8736		NAME <u>David W. Clough, Ph.D.</u>			
		36,107 Registration Number			

OCT 29 : :



UNITED STATES PATENT AND TRADEMARK OFFICE

MARSHALL GERSTEIN &amp; BORUN

Commissioner for Patents, Ex. PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/018,452	Julia Elizabeth Thompson	28111/37903

Nabeela R McMillian  
Marshall Gerstein & Borun  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, IL 60606-6402

**RECEIVED**

OCT 24 2002

BY: KMZROSENMAN

INTERNATIONAL APPLICATION NO.	
PCT/GB00/01679	
LA. FILING DATE	PRIORITY DATE
05/02/2000	04/30/1999

CONFIRMATION NO. 4408

371 FORMALITIES LETTER

\*OC00000008950191\*

Date Mailed: 10/16/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination
- Substitute Specification

Docketed: 12-16-02

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR**

**THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,452	PCT/GB00/01679	28111/37903

FORM PCT/DO/EO/905 (371 Formalities Notice)



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